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TRANSMITTAL LETTER (General - Patent Pending)				Docket No. - 200-0646	
In Re Application Of: Juliet C. Kraal et al.					
Application No. 09/630,918	Filing Date August 2, 2000	Examiner T. Stevens	Customer No. 33481	Group Art Unit 2121	Confirmation No. 7908
Title: SYSTEM AND METHOD OF SUBJECTIVE EVALUATION OF A VEHICLE DESIGN WITHIN A VIRTUAL ENVIRONMENT USING A VIRTUAL REALITY					
<u>COMMISSIONER FOR PATENTS:</u>					
Transmitted herewith is: Response and copy of USPTO Closing Notice (in triplicate), and return postcard.					
in the above identified application.					
<input checked="" type="checkbox"/> No additional fee is required.					
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<input type="checkbox"/> The Director is hereby authorized to charge and credit Deposit Account No. 06-1510 as described below.					
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 Signature			Dated: March 5, 2007		
Daniel H. Bliss (Reg. No. 32,398) [0693.00239] Bliss McGlynn, P.C. 2075 West Big Beaver Road, Suite 600 Troy, Michigan 48084 (248) 649-6090			<div style="border: 1px solid black; padding: 5px;"><p>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on</p><p>March 5, 2007</p><p>(Date) </p><p>Signature of Person Mailing Correspondence</p><p>Daniel H. Bliss</p><p>Typed or Printed Name of Person Mailing Correspondence</p></div>		
Record I.D. 81056549					
cc:					

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Art Unit: 2121)
Examiner: T. Stevens)
Applicant(s): Juliet C. Kraal et al.)
Serial No.: 09/630,918)
Filing Date: August 2, 2000)
For: SYSTEM AND METHOD OF)
SUBJECTIVE EVALUATION OF A)
VEHICLE DESIGN WITHIN A VIRTUAL)
ENVIRONMENT USING A VIRTUAL)
REALITY)

RESPONSE

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

This Response is in reply to the Office Communication dated February 5, 2007 for the above-identified application. In the Office Communication, it was stated that the Reply Brief filed on January 3, 2007 was not considered because it was allegedly not in compliance with 37 C.F.R. 41.41(a). The Office Communication acknowledged that Appellant had included a Certificate of Mailing dated January 3, 2007 on the Reply Brief. However, the Office Communication indicated that the Examiner's Answer was mailed November 2, 2006 and that the two-month period for response ended January 2, 2007.

Applicants respectfully disagree with the Examiner as to the Reply Brief not being timely filed. On February 7, 2007, Counsel for Applicants had a telephone conference with Supervisory Patent Examiner Knight regarding this matter. Counsel informed Examiner Knight

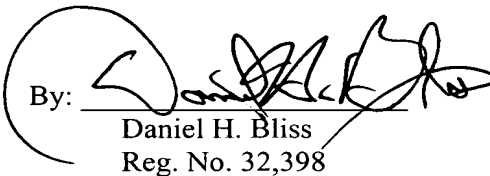
CERTIFICATE OF MAILING: (37 C.F.R. 1.8) I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service with sufficient postage as First Class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on March 5, 2007, by Daniel H. Bliss

that the Reply Brief was timely filed because the Patent Office was closed on January 2, 2007 due to President Bush declaring a National Day of Mourning as a result of former President Ford's death. Attached is a copy of the Notice from the U.S. Patent and Trademark Office website indicating closure of the Patent Office on January 2, 2007. As a result, the two-month period for response was automatically extended until January 3, 2007 and the Reply Brief should be considered as timely filed.

Counsel has requested that Examiner Knight consider the Reply Brief and have it entered as such. Examiner Knight stated that he would mail an Office Communication considering and entering the Reply Brief. To date, Counsel has not received such communication.

Accordingly, it is respectfully requested that the Reply Brief filed on January 3, 2007 be considered and entered and that the Examiner mail an Office Communication to Counsel for Applicants indicating the same.

Respectfully submitted,

By: 
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Reg. No. 32,398

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Date: March 5, 2007

Attorney Docket No.: 0693.00239
Ford Disclosure No.: 200-0646



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Related Notices > USPTO Closed January 2, 2007 for Day of Mourning

Closing of the United States Patent and Trademark Office on Tuesday, January 2, 2007

In view of the official closing of the Federal Government offices in the Washington, D.C. metropolitan area, including the United States Patent and Trademark Office (USPTO), on Tuesday, January 2, 2007, the day proclaimed by President Bush as a National Day of Mourning, the United States Patent and Trademark Office will consider Tuesday, January 2, 2007 a "Federal holiday within the District of Columbia" under 35 U.S.C. § 21 and 37 C.F.R. §§ 1.6, 1.7, 1.9, 2.2(d), 2.195, and 2.196. Any action or fee due on Tuesday, January 2, 2007, will be considered as timely for the purposes of, e.g., 35 U.S.C. §§ 119, 120, 133 and 151, if the action is taken, or the fee is paid, on the next succeeding business day on which the USPTO was open, that is, Wednesday, January 3, 2007.

37 C.F.R. §§ 1.6(a)(2) and 2.195(a)(4) provide that correspondence deposited as Express Mail in accordance with 37 C.F.R. § 1.10 or 2.198 will be considered as filed on the date of deposit with the United States Postal Service (USPS). Thus, any paper or fee properly deposited in accordance with 37 C.F.R. § 1.10 or 2.198 with the Express Mail service of the USPS on Tuesday, January 2, 2007 (that is, as shown by a "date-in" of Tuesday, January 2, 2007, on the Express Mail mailing label) will be considered filed in the USPTO on its date of deposit in the Express Mail service of the USPS.

37 C.F.R. § 2.195(a)(2) provides that trademark-related correspondence transmitted electronically to the USPTO will be considered filed in the USPTO on the date the USPTO receives the electronic transmission. Thus, trademark-related correspondence transmitted electronically on Tuesday, January 2, 2007, will be considered filed in the USPTO on the date the USPTO received the electronic transmission. Correspondence successfully received by the USPTO through the patent Electronic Filing System will receive the date as indicated on the Acknowledgment Receipt.

KEY: =online business system \$ =fees =forms =help =laws/regulations =definition (glossary)

Is there a question about what the USPTO can or cannot do that you cannot find an answer for? Send questions about USPTO programs and services to the USPTO Contact Center (UCC). You can suggest USPTO webpages or material you would like featured on this section by E-mail to the webmaster@uspto.gov. While we cannot promise to accommodate all requests, your suggestions will be considered and may lead to other improvements on the website.